

Apr 23, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES JOHN WILSON,

Defendant.

No. 4:17-CR-06033-EFS-1

ORDER GRANTING IN PART
MOTION TO MODIFY
CONDITIONS OF RELEASE

ECF No. 37

On Monday, April 23, 2018, the Court conducted a hearing on Defendant's Motion to Modify Conditions of Release (ECF No. 37). Defendant appeared telephonically and was represented by Assistant Federal Defender Paul Shelton. Assistant United States Attorney Thomas Hanlon represented the United States.

The Court considered counsels' arguments. The Court recognized the logistical challenges of the Federal Defenders' representation of a client who resides several hundred miles away and grants Defendant's request to acquire one electronic device, which must be disclosed to and approved by the Probation

Office, for the sole purpose of communicating with counsel. Defendant may not access the internet for any other purpose than communicating with counsel.

However, the Court does not find sufficient cause to modify Defendant's conditions of release to accommodate Plaintiff's hobby of flying a drone.

Accordingly;

IT IS HEREBY ORDERED:

1. The Motion to Modify Conditions of Release (ECF No. 37) is **GRANTED IN PART.**

2. Defendant's previously-imposed Special Condition of Release 7 (ECF No. 18) is **MODIFIED** as follows:

Defendant shall not directly or indirectly use or possess a computer or electronic media, including any devices and cellular phones, with internet access capabilities or access a computer or electronic media without the prior approval of the United States Probation/Pretrial Services Office, with the following exception: Defendant shall be permitted to possess one electronic device, approved by the United States Probation/Pretrial Services Office, for the sole purpose of communicating with court-appointed counsel. This device shall be subject to monitoring software and may not be used for any other internet access. Defendant shall also not access the internet or internet bulletin boards or private or public computer networks without prior approval of the United States Probation/Pretrial Services Office.

The United States Probation/Pretrial Services Office shall be permitted to install monitoring software on the electronic device within defendant's possession or control that allows random and/or regular monitoring of defendant's computer use. The United States Probation/Pretrial Services Office shall also be allowed inspection of any such computer or tablet device, including retrieval, copying, and review of its electronic contents.

1 3. Defendant's other previously-imposed conditions of release (ECF No. 18)
2 remain in effect.

3 DATED April 23, 2018.

4 s/Mary K. Dimke
5 MARY K. DIMKE
6 UNITED STATES MAGISTRATE JUDGE
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